

SENATOR BEUTLER: Senator Hall, members of the Legislature, let me respond to Senator Warner. And this is an interesting question and one, I think, needs to be discussed and would have been discussed had the Withem amendments come forward, because the Withem amendments have to do with this very question. In the constitution, with respect to initiative and referendum, it says this, the provisions with respect to the initiative and referendum, shall be self-executing, but legislation may be enacted, and here are the key words, to facilitate their operation. In other words, they have the right to initiative and referendum and the only laws that you and I can make are laws that facilitate their operation. The Withem amendments dealt with that language and tended to liberalize it so as to construe our prerogatives a little more broadly in this Legislature. But without the Withem amendments this is the language that is retained, "to facilitate their operation". So with respect to this particular provision, which changes it from at least four months to nine months, the question is whether that facilitates the operation of the initiative law. Well, I would argue that it does, because I would argue that facilitating means doing what is most logical and reasonable in terms of making those provisions meaningfully operative for the people of the State of Nebraska. And I think that when you offer the Legislature an alternative that you are, in fact, making the law more reasonable for the people of the State of Nebraska, and therefore you are facilitating the operation. But I'm suggesting to you that to be safe you ought to put it into the constitution so that there is not...the question does not arise as to whether that provision facilitates their operation. If it's clear in your minds, as it is in mine, that it need not be in the constitution, then you should reject this amendment, and I will move on LB 337 to simply put this into statute. That basically is the situation, and I abide your judgment. But I hope that, I really do hope that in considering the matter you will consider very seriously the idea, because I think it's an enormously positive one in terms of how we approach or can approach, or how the people of Nebraska can be presented at the ballot box with various propositions. I think there is very little to be said against this amendment and much to be said for it in terms of enhancing the opportunities of the people of the state to make reasonable judgments and in enhancing our ability to make reasoned judgments on behalf of the people of the State of Nebraska in offering them an alternative. Thank you.

SENATOR HALL: Thank you, Senator Beutler. Senator Wesely, your